

Education: House bills Nos. 9, 13, 28, 34, 44 and 10.

Highways and Motor Traffic: House bills Nos. 18 and 19.

FOURTH DAY.

(Thursday, June 6, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Johnson of Scurry.
Acker.	Jones.
Ackerman.	Justiss.
Adkins.	Kayton.
Albritton.	Keeton.
Anderson.	Keller.
Avis.	Kemble.
Baker.	Kennedy.
Baldwin.	Kincaid.
Barnett.	King.
Bond.	Kinnear.
Bounds.	Land.
Bradley.	Lee.
Brice.	Long of Houston.
Brooks.	Long of Wichita.
Carpenter.	Loy.
Chastain.	Mankin.
Coltrin.	Marks.
Conway.	Martin.
Cox of Lamar.	Maynard.
Cox of Limestone.	McCombs.
Davis.	McDonald.
DeWolfe.	McGill.
Dunlap.	McKean.
Ewing.	Metcalf.
Eickenroht.	Minor.
Finn.	Montgomery.
Finlay.	Moore.
Forbes.	Mosely.
Gates.	Mullally.
Gerron.	Murphy.
Gilbert.	Negley.
Giles.	Nicholson.
Graves	O'Neill.
of Williamson.	Palmer.
Graves of Erath.	Patterson.
Hardy.	Pavlica.
Harding.	Petsch.
Harman.	Pool.
Harper.	Pope of Jones.
Harrison.	Prendergast.
Heaton.	Purl.
Hines.	Quinn.
Hogg.	Ray.
Holder.	Reader.
Hopkins.	Reid.
Hornaday.	Renfro.
Hubbard.	Richardson.
Johnson	Rogers.
of Dimmit.	Rountree.
Johnson of Smith.	Sanders.

Savage.	Turner.
Shaver.	Van Zandt.
Shelton.	Veatch.
Sherrill.	Waddell.
Shipman.	Wallace.
Simmons.	Walters.
Sinks.	Warwick.
Snelgrove.	Webb.
Speck.	White.
Stephens.	Wiggs.
Stevenson.	Williams
Storey.	of Sabine.
Strong.	Williams
Tarwater.	of Travis.
Thompson.	Woodall.
Thurmond.	Woodruff.
Tillotson.	

Absent.

Bateman.	Lemens.
Beck.	Morse.
Fuchs.	Pope of Nueces.
Hefley.	Young.

Absent—Excused.

Cox of Navarro.	Mehl.
Duvall.	Olsen.
Enderby.	Smith.
Jenkins.	Westbrook.
Kenyon.	Williams
Mauritz.	of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Westbrook for today, on motion of Mr. Hopkins.

Mr. Mauritz for today, on motion of Mr. Keeton.

Mr. Enderby for today and the balance of the week, on motion of Mr. Barron.

The following members were granted leaves of absence on account of illness:

Mr. Smith for today, on motion of Mr. Justiss.

Mr. Duvall for today, on motion of Mr. Patterson.

Mr. Jenkins for today, on motion of Mr. Ackerman.

Mr. Cox of Navarro for today, on motion of Mr. Woodruff.

Mr. Thurmond for today, on motion of Mr. Kemble.

Mr. Mehl for today, on motion of Mr. Reader.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read

severally first time, and referred to the appropriate committees, as follows:

By Mr. King and Mr. Graves of Williamson:

H. B. No. 77, A bill to be entitled "An Act making it unlawful for any physician to issue a prescription for ethyl alcohol or any alcoholic liquor, fixing a penalty, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Graves of Erath:

H. B. No. 78, A bill to be entitled "An Act amending the teacher's and superintendent's contract for schools in common and independent school districts of this State so as to include a change compelling any teacher or superintendent to sign a contract not to smoke cigarettes, giving the school board power to dismiss under certain conditions, and declaring an emergency."

Referred to Committee on Education.

By Mr. Holder and others:

H. B. No. 79, A bill to be entitled "An Act relating to the State Board of Education; providing for the appointment of the members of said Board; prescribing their qualifications, terms of service and duties; authorizing said Board to assume and discharge the duties assigned by law to the present State Board of Education; abolishing the State Text Book Commission; providing for an appropriation to pay the expenses of said Board; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Lee and others:

H. B. No. 80, A bill to be entitled "An Act providing for the creation of an 'Agricultural Commission'; prescribing the qualifications of members; providing for oath and bond; prescribing the powers and duties of said Commission; providing for salaries and expenses, organization, appointment of a secretary, clerks, experts and inspectors; providing for time and place of hearing and sessions; providing for the duties and for ex-officio members, and for reports; providing that activities shall not conflict with those of the Agricultural and Mechanical College of Texas; construction of present laws; providing for supervision of public weighers and weights and measures, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Williams of Sabine:

H. B. No. 81, A bill to be entitled "An Act to fix the compensation of county commissioners in every county having a population of more than 12,250 and less than 12,350, according to the latest United States census; regulating the payment of same, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Finlay, Mr. Coltrin and Mr. Lee:

H. B. No. 82, A bill to be entitled "An Act providing for the levy and collection of income taxes upon individuals, firms, co-partnerships, corporations, joint stock companies and associations residing or doing business within the State of Texas, and upon non-residents having an income from property located in or business transacted within the State of Texas; fixing the rate of tax to be levied and collected from such income; providing for exemptions of amounts or parts of incomes, such exemptions to be excepted from said tax, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Holder and Mr. Harman:

H. B. No. 83, A bill to be entitled "An Act to amend Article 7047, Revised Civil Statutes of the State of Texas, 1925, providing for the levy of occupation taxes on and the collection from persons, firms, associations and companies pursuing the several occupations enumerated herein; repealing all laws and parts of laws in conflict herewith; providing that if any subdivision or part of this act may be declared invalid for any reason it shall not affect any other section, subdivision or part of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Harper:

H. B. No. 84, A bill to be entitled "An Act levying a State occupation tax on every person, firm, partnership, company, corporation, association, receiver, trustee, common law trust or other concern selling at retail cigars and cigarettes or either; defining cigarettes, defining person, defining wholesaler, defining retailer, to include sales to consumers in any quantity; enacting the necessary provisions to enforce the collection of

the tax and to accomplish the purpose of the act; prescribing penalties for failure to comply with the requirements of the act; providing for reports to be made by retailers to the Comptroller of all sales made and for payment of the tax; providing for wholesalers to report to the Comptroller all sales made to retailers in Texas; providing for the disposition of funds received; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Palmer:

H. B. No. 85, A bill to be entitled "An Act levying an occupation tax on retail dealers in malt or malt extract or malt syrup, and providing for the collection of such tax; defining offenses and prescribing penalties, and enacting provisions incidental to the purpose of this act; making an appropriation so that the Comptroller may comply with this act; providing for said tax to go for the benefit of the State Tuberculosis Sanitarium, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Strong and Mr. Palmer:

H. B. No. 86, A bill to be entitled "An Act making an appropriation of \$28,911.47, or so much thereof as may be necessary, payable out of the general revenue not otherwise appropriated, and appropriating all other current revenue, or so much thereof as may be necessary, to be derived from the operation of the Texas State Railroad until August 31, 1929, and to be deposited in the State Treasury; said appropriations being for the traveling, clerical and other expenses of the Board of Managers, and all other expenses connected with the sale and maintenance, operation or lease of said railroad, and being for the period up to and including August 31, 1931, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hornaday:

H. B. No. 87, A bill to be entitled "An Act to promote the commercial potato-growing industry in Texas; to authorize the Commissioner of Agriculture to fix and promulgate official standards for grading, classifying and inspecting Texas-grown potatoes, to co-operate with the United States Department of Agriculture in accomplishing

the purposes of this act, etc., and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Hornaday and others:

H. B. No. 88, A bill to be entitled "An Act fixing the salary of official shorthand reporters of all judicial districts in any county which alone constitutes one judicial district, and all judicial districts composed of two or more counties, in addition to transcript fees which such reporters receive under the law; providing for payment of such salaries, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Shaver:

H. B. No. 89, A bill to be entitled "An Act to amend Chapter 105, of the Local and Special Laws passed in the Regular Session of the Thirty-ninth Legislature, which act amended the then existing special road law of San Jacinto county, Texas, making provision for the refunding of indebtedness incurred by said bill for road and bridge purposes; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Graves of Williamson and Mr. Duvall:

H. B. No. 90, A bill to be entitled "An Act to amend Article 651, of the Code of Criminal Procedure of the State of Texas, 1925, so as to provide that defendants jointly or separately indicted for an offense growing out of the same transaction shall, in the discretion of the trial court, be placed on trial jointly or separately and permitting all defendants jointly tried to testify to any relevant facts; and repealing Articles 650, 652, 653, 654 and 711 of the Code of Criminal Procedure of this State, as revised in 1925, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Graves of Williamson:

H. B. No. 91, A bill to be entitled "An Act to amend Article 6675, Revised Civil Statutes of the State of Texas, making it mandatory to pay the registration fee of a motor vehicle, tractor, trailer, semi-trailer or motorcycle used on the public highways of this State to

the collector of the county in which the owner of such vehicle resides, or if such vehicle is operated wholly by any agent or servant of such owner in the county in which such vehicle to be registered is being operated, etc."

Referred to Committee on Highways and Motor Traffic.

By Mr. Lee and others:

H. B. No. 92, A bill to be entitled "An Act providing for the appointment of weighers for cotton compresses; providing for oath and bond; prescribing their duty; providing for sampling and deduction from cotton; providing for fees and penalties; providing for making application for weigher; providing for rules and regulations; providing for construction of this act; providing that if any provision is declared unconstitutional, other provisions will not be affected, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Pope of Jones:

H. B. No. 93, A bill to be entitled "An Act to amend Chapter 11, of Title 49, Revised Civil Statutes of 1925, by adding to said Chapter Article 2701a; providing for the appointment of secretaries to ex-officio county superintendents of public instruction in all counties in this State where the county judge is by law made ex-officio county superintendent of public instruction; prescribing the duties of such secretaries, and fixing the salaries of such secretaries, and declaring an emergency."

Referred to Committee on Education.

By Mr. Kayton, Mr. Petsch and Mr. Anderson:

H. B. No. 94, A bill to be entitled "An Act to provide for the refunding to Merchants' Transfer Company of certain moneys collected by the tax collector of Bexar county, Texas, as a seating capacity tax for automobiles operated for hire, which were not subject to tax under the laws of the State of Texas."

Referred to Committee on Claims and Accounts.

By Mr. Beck, Mr. Tillotson and Mr. Hubbard:

H. B. No. 95, A bill to be entitled "An Act further regulating the operation of vehicles on the public highways; limiting the size and weight of vehicles and loads permitted on any public highway; requiring lights on certain vehi-

cles not heretofore by law required to carry lighting equipment; restricting the stopping or parking of a vehicle on the improved portion of a highway; providing for the erection and maintenance of signs or markers on the State highways; prescribing restrictions regarding the speed of any vehicle; prescribing penalties for violations of this act; providing for appointment of inspectors to enforce the provisions of this act and other laws relating to vehicles and traffic on the public highway; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Hines, Mr. Harper, Mr. Simmons and Mr. Hubbard:

H. B. No. 96, A bill to be entitled "An Act amending Chapter 208, page 449, of the Acts of the Regular Session of the Forty-first Legislature, providing for the open season on squirrels in certain counties, providing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Tillotson and Mr. Hubbard:

H. B. No. 97, A bill to be entitled "An Act to amend Article 1434, of the Penal Code of Texas, 1925, as amended by Chapter 77, General and Special Laws of the First Called Session of the Fortieth Legislature, and Article 1435, of the Penal Code of Texas, 1925, relating to the transfer of second-hand or used vehicles and the recording of said transfers; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Hubbard and Mr. Tillotson:

H. B. No. 98, A bill to be entitled "An Act relating to the issuance and use, by manufacturers and dealers, of demonstration number plates on motor vehicles; providing for the use on new vehicles of cardboard numbers issued by manufacturers or dealers under certain prescribed conditions; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Minor:

H. B. No. 99, A bill to be entitled "An Act limiting the number of white perch, crappie or black bass that may

lawfully be taken in one day from the public waters of Denton county, Texas; prescribing penalties for violating this act, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Tillotson and Mr. Hubbard:

H. B. No. 100. A bill to be entitled "An Act providing for the registration in this State of vehicles owned by citizens of another State or county and duly registered under the laws of said State or county for the current year; prescribing restrictions under which such vehicles may be operated; prescribing penalties for any violation hereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Eickenroht and others:

H. B. No. 101. A bill to be entitled "An Act providing for the licensing of chiropractors, for registering license granted to chiropractors, and certain sworn statements required to be made by chiropractors; and providing for the duty of the county clerk in reference thereto; providing for the introduction of certain records and certain copies thereof in evidence, and the effect of such evidence; defining the practice of chiropractors; providing for penalties for the violation of this act, etc., and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Johnson of Dimmit:

H. B. No. 102. A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes of Texas, 1925, by adding a new section thereto, to be known as Section 40, so as to provide an occupation tax upon emigrant agents, defining 'emigrant agents'; providing manner of payment of tax; repealing House bill No. 207, passed by the First Called Session of the Forty-first Legislature of Texas and approved by the Governor of Texas, May 17, 1929, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Sinks:

H. B. No. 103. A bill to be entitled "An Act to levy and collect annually a five-dollar road tax against all able-bodied male citizens of Burleson county

who are subject to road work under the general laws of this State who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collecting of said tax, and providing further for a penalty for failure or refusal to pay such tax; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

BILLS ORDERED PRINTED.

Mr. Montgomery moved that House bill No. 76, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Kincaid.
Acker.	King.
Ackerman.	Land.
Albritton.	Lee.
Baker.	Long of Houston.
Baldwin.	Loy.
Barnett.	Marks.
Bounds.	Martin.
Bradley.	Maynard.
Brice.	McCombs.
Carpenter.	McDonald.
Chastain.	Metcalf.
Coltrin.	Minor.
Conway.	Montgomery.
Cox of Lamar.	Moore.
Cox of Limestone.	Mosely.
Davis.	Murphy.
DeWolfe.	Negley.
Ewing.	O'Neill.
Eickenroht.	Pavlica.
Finn.	Petsch.
Forbes.	Pool.
Gates.	Purl.
Gerron.	Quinn.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Renfro.
Harding.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Shelton.
Johnson	Sherrill.
of Dimmit.	Shipman.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Sinks.
Jones.	Snelgrove.
Justiss.	Speck.
Keeton.	Stevenson.
Keller.	Strong.
Kemble.	Thompson.

Van Zandt.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Webb.

Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.

Nays—20.

Anderson.
Avis.
Bond.
Brooks.
Finlay.
Gilbert.
Harper.
Kinnear.
Long of Wichita.
Mankin.

McGill.
McKean.
Nicholson.
Patterson.
Pope of Jones.
Storey.
Tarwater.
Tillotson.
Turner.
White.

Present—Not Voting.

Prendergast. Stephens.

Absent.

Adkins.
Bateman.
Beck.
Dunlap.
Fuchs.
Giles.
Hardy.
Harman.
Harrison.
Heaton.
Hefley.

Kayton.
Kennedy.
Lemens.
Morse.
Mullally.
Olsen.
Palmer.
Pope of Nueces.
Wiggs.
Young.

Absent—Excused.

Cox of Navarro.
Duvall.
Enderby.
Jenkins.
Kenyon.
Mauritz.
Mehl.

Reid.
Smith.
Thurmond.
Westbrook.
Williams
of Hardin.

Mr. Keller moved that House bill No. 64, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—65.

Mr. Speaker.
Acker.
Albritton.
Anderson.
Baker.
Barnett.
Bond.
Bounds.
Bradley.
Brice.
Brooks.
Carpenter.

Chastain.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Finn.
Forbes.
Gates.
Gerron.
Graves of Erath.
Hardy.
Harding.

Hines.
Holder.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Justiss.
Keeton.
Keller.
Kemble.
Kennedy.
King.
Lee.
Long of Wichita.
Marks.
McCombs.
Mehl.
Metcalfe.
Minor.
Montgomery.
Mosely.
Patterson.

Pavlica.
Petsch.
Purl.
Quinn.
Reader.
Renfro.
Rountree.
Sanders.
Savage.
Sherrill.
Shipman.
Snelgrove.
Stevenson.
Storey.
Strong.
Veatch.
Wallace.
Walters.
Warwick.
Webb.
Woodall.
Woodruff.

Nays—44.

Ackerman.
Avis.
Baldwin.
Coltrin.
Conway.
Ewing.
Eickenroht.
Gilbert.
Harman.
Harper.
Hogg.
Hopkins.
Hubbard.
Jones.
Kayton.
Kincaid.
Kinnear.
Land.
Long of Houston.
Loy.
Mankin.
Martin.
Maynard.
McGill.

McKean.
Murphy.
Negley.
Nicholson.
O'Neill.
Palmer.
Pool.
Ray.
Richardson.
Shaver.
Shelton.
Simmons.
Sinks.
Stephens.
Tarwater.
Thompson.
Van Zandt.
Waddell.
White.
Williams
of Sabine.
Williams
of Travis.

Absent.

Adkins.
Bateman.
Beck.
Dunlap.
Finlay.
Fuchs.
Giles.
Graves
of Williamson.
Harrison.
Heaton.
Hefley.
Hornaday.
Lemens.

McDonald.
Moore.
Morse.
Mullally.
Pope of Jones.
Pope of Nueces.
Prendergast.
Rogers.
Speck.
Tillotson.
Turner.
Wiggs.
Young.

Absent—Excused.

Cox of Navarro. Duvall.

Enderby.
Jenkins.
Kenyon.
Mauritz.
Olsen.
Reid.

Smith.
Thurmond.
Westbrook.
Williams
of Hardin.

Murphy.
Negley.
Nicholson.
Pavlica.
Petsch.
Pool.
Reader.
Richardson.
Sanders.

Sinks.
Stevenson.
Thompson.
Tillotson.
Turner.
Van Zandt.
Walters.
Woodall.

Mr. Graves of Williamson moved that House bill No. 60, reported adversely with a minority favorable report, be printed.

The motion prevailed by the following vote:

Yeas—63.

Mr. Speaker.	Long of Houston.
Acker.	Loy.
Ackerman.	Marks.
Baker.	McGill.
Barnett.	McKean.
Bond.	Mosely.
Bradley.	O'Neill.
Brice.	Purl.
Carpenter.	Quinn.
Coltrin.	Ray.
Conway.	Renfro.
Cox of Lamar.	Rogers.
Cox of Limestone.	Rountree.
Davis.	Savage.
Eickenroht.	Shaver.
Finn.	Shelton.
Forbes.	Sherrill.
Gilbert.	Shipman.
Graves	Simmons.
of Williamson.	Snelgrove.
Graves of Erath.	Speck.
Harman.	Stephens.
Harper.	Storey.
Holder.	Tarwater.
Hornaday.	Veatch.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Warwick.
Justiss.	Webb.
Keeton.	White.
Kemble.	Wiggs.
Kennedy.	Williams
Kincaid.	of Sabine.
King.	Woodruff.
Lee.	Young.

Nays—44.

Albritton.	Johnson of Scurry.
Anderson.	Jones.
Baldwin.	Kayton.
Bounds.	Keller.
Chastain.	Kinnear.
DeWolfe.	Land.
Ewing.	Long of Wichita.
Gerron.	Mankin.
Hardy.	Martin.
Harding.	Maynard.
Hines.	McCombs.
Hogg.	Montgomery.
Hopkins.	Moore.

Present—Not Voting.

Williams of Travis.

Absent.

Adkins.	Hubbard.
Avis.	Lemens.
Bateman.	McDonald.
Beck.	Metcalfe.
Brooks.	Minor.
Dunlap.	Morse.
Finlay.	Mullally.
Fuchs.	Palmer.
Gates.	Patterson.
Giles.	Pope of Jones.
Harrison.	Pope of Nueces.
Heaton.	Prendergast.
Hefley.	Strong.

Absent—Excused.

Cox of Navarro.	Olsen.
Duvall.	Reid.
Enderby.	Smith.
Jenkins.	Thurmond.
Kenyon.	Westbrook.
Mauritz.	Williams
Mehl.	of Hardin.

BILL ORDERED NOT PRINTED.

On motion of Mr. Williams of Sabine, House bill No. 81 was ordered not printed.

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

June 6, 1929.

To the Members of the Forty-first Legislature:

The following subjects are submitted for your consideration:

1. The amendment of Article 388, Revised Civil Statutes, to prescribe the qualifications of directors in banking corporations. The amendment of this statute is made necessary by reason of the bill passed by the last session of the

Legislature prescribing the amount in which certificates of stock in banking corporations might be issued.

2. Amendments of the statutes to adjust the compensation of public officers.

3. Amendment of Chapter 208, page 449, Acts of the Forty-first Legislature, to correct defects in said bill.

4. The amendment of a local bill to protect wild game in Denton county.

5. Enactment of amendments to the present State sanitary laws to make needed changes and to properly protect public health.

6. The enactment of statutes giving the Department of Agriculture power to enforce quarantine and other rules.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

EMPLOYES ANNOUNCED.

The Speaker announced the appointment of Mrs. Bennie M. Archer, typist.

The Speaker announced the appointment of the following employees:

Rosemary Dean, stenographer.

Douglas King, page.

The Speaker announced the appointment of A. M. Gribble as assistant operator of the voting machine, to take the place of L. G. Petmecky, resigned.

TO PROVIDE FOR COMMITTEE TO VISIT PENITENTIARY LANDS.

The Speaker laid before the House, for consideration at this time, Senate concurrent resolution No. 3, relating to committee investigating certain penitentiary lands, the resolution having heretofore been read second time and referred to the Committee on Penitentiaries.

Mr. Purl moved that further consideration of the resolution be postponed indefinitely.

Mr. Renfro offered the following amendment to the resolution:

Amend concurrent resolution by appointing one from the Senate and two from the House.

The amendment was lost.

Question then recurring on the motion to postpone further consideration of the resolution indefinitely, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71.

Acker.
Albritton.

Baldwin.
Bounds.

Brice.	Mankin.
Brooks.	Marks.
Carpenter.	Martin.
Chastain.	McCombs.
Coltrin.	Moore.
Conway.	Negley.
Cox of Limestone.	Pavlica.
Davis.	Petsch.
Dunlap.	Pool.
Ewing.	Purl.
Finlay.	Quinn.
Forbes.	Reader.
Gates.	Renfro.
Gerron.	Richardson.
Gilbert.	Rogers.
Graves	Rountree.
of Williamson.	Sanders.
Graves of Erath.	Shaver.
Hardy.	Shipman.
Harding.	Simmons.
Harman.	Strong.
Harrison.	Tarwater.
Hines.	Thompson.
Hogg.	Veatch.
Hornaday.	Waddell.
Johnson	Wallace.
of Dimmit.	Walters.
Johnson of Smith.	Warwick.
Johnson of Scurry.	White.
Justiss.	Wiggs.
Keeton.	Williams
Kennedy.	of Sabine.
Kincaid.	Williams
Land.	of Travis.
Lee.	Woodruff.
Loy.	

Nays—33.

Mr. Speaker.	McKean.
Ackerman.	Mosely.
Anderson.	Murphy.
Baker.	Palmer.
Barnett.	Patterson.
Bond.	Prendergast.
Bradley.	Ray.
Cox of Lamar.	Savage.
Eickenroht.	Shelton.
Finn.	Sherrill.
Harper.	Snelgrove.
Holder.	Stephens.
Kayton.	Turner.
King.	Van Zandt.
Long of Houston.	Webb.
Long of Wichita.	Woodall.
McDonald.	

Present—Not Voting.

Heaton.

Absent.

Adkins.	Giles.
Avis.	Hefley.
Bateman.	Hopkins.
Beck.	Hubbard.
DeWolfe.	Jones.
Fuchs.	Keller.

Kemble.	O'Neill.
Kinnear.	Pope of Jones.
Lemens.	Pope of Nueces.
Maynard.	Sinks.
McGill.	Speck.
Metcalfe.	Stevenson.
Minor.	Storey.
Montgomery.	Thurmond.
Morse.	Tillotson.
Mullally.	Young.
Nicholson.	

Absent—Excused.

Cox of Navarro.	Olsen.
Duvall.	Reid.
Enderby.	Smith.
Jenkins.	Westbrook.
Kenyon.	Williams
Mauritz.	of Hardin.
Mehl.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 6, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate has
passed

H. C. R. No. 3, Expressing sympathy
to the family of Major Joseph H. Noyes,
with amendment.

H. C. R. No. 4, Designating a period
from June 14 to July 14 as Texas Prosperity Month.

S. C. R. No. 5, Granting permission
to one W. C. Davis to sue the State of
Texas.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO CERTAIN CHARGES AGAINST LAND COMMISSIONER.

The Speaker laid before the House,
as a special order for this hour, resolution
by Mr. Woodruff relating to certain
charges against the Land Commissioner,
the resolution having been read second
time on yesterday.

Mr. Woodruff then withdrew the
pending resolution.

TO PROVIDE FOR IMPEACHMENT OF LAND COMMISSIONER.

Mr. Woodruff sent up, for consideration
of the House, the following statement:

State of Texas,
County of Travis.

I, H. G. Woodruff, member of the
House of Representatives of the Second

Called Session of the Forty-first Legislature, do hereby present the following charges against J. T. Robison, Commissioner of the General Land Office of Texas, and request their consideration so that the House of Representatives may decide whether or not, in their judgment, they should present to the Senate of Texas a bill of impeachment against the said J. T. Robison. These charges are based on information and belief, except as otherwise herein stated, and I do represent under my oath that I believe them to be true, and for that reason present them to the House of Representatives:

1. That J. T. Robison, at a time when he was Commissioner of the General Land Office of Texas, and as such in his official capacity, had in his possession certain moneys, the property of the State of Texas, and that on the 23rd day of June, A. D. 1925, he, the said J. T. Robison, did knowingly and willingly unlawfully then and there pay said moneys to Barker Motor Company of Austin, Texas, the sum of \$827, in violation of the law and without proper voucher for the same.

2. That on the 16th day of June, A. D. 1925, at a time when the said J. T. Robison was in possession of certain money or moneys, the property of the State of Texas, did then and there pay to a certain person, firm or corporation by the name of Walling & Bradfield the sum of \$78.86, and that such payment was made to satisfy a personal obligation or obligations of the said J. T. Robison, and not for the purpose of paying any obligation or obligations of the State of Texas, in violation of the law and without authority under the statutes of this State.

3. That on the 9th day of June, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office of the State of Texas, and in possession of money or moneys the property of the State of Texas, did then and there without authority of law pay out of said money or moneys \$19.30 to C. A. Dahlich for the purpose of satisfying a personal obligation of the said J. T. Robison to the said C. A. Dahlich, all of which said act or acts was in violation of the plain letter of the law of this State.

4. That on the 13th day of June, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office of the State of Texas, and in his official capacity in the possession of certain money or moneys,

the property of the State, did then and there knowingly and willingly unlawfully and without authority of law pay to one certain person, firm or corporation by the name of Walter Tips Company the sum of \$24.75; that said payment was made for the purpose of satisfying the personal obligation or obligations of J. T. Robison to the said Walter Tips Company, and not for any lawful purpose in his official capacity as Commissioner of the General Land Office.

5. That on the 13th day of June, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office of Texas, and as such in the possession and custody of certain funds, money or moneys, the property of the State of Texas, did then and there appropriate without authority of law to his own personal use and benefit the sum of \$200.

6. That on the 28th day of June, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office of Texas, and as such in the possession of certain money or moneys, the property of the State, did negligently, willfully and carelessly mismanage and mishandle said money, and that on said date did then and there permit Mrs. J. T. Robison to take from said money or moneys the sum of \$100 without the authority of the State of Texas and without proper warrant or vouchers for the same and without any valuable consideration therefor.

7. That on the 18th day of August, A. D. 1925, at a time when J. T. Robison was Commissioner of the General Land Office of the State of Texas, and as such in the possession of said money or moneys, the property of the State of Texas, did then and there knowingly and willingly permit Mrs. J. T. Robison to pay out of said State money to one Clyde Grover the sum of \$54 without authority of law and without proper vouchers or warrant for the same, which said act was and is a high crime and misdemeanor against the State of Texas.

8. That on the 21st day of August, A. D. 1925, the said J. T. Robison, in his official capacity as Commissioner of the General Land Office of the State of Texas, had and held in his possession certain money belonging to the State of Texas; that on said date said J. T. Robison did then and there, without explanation and without authority of law and for the purpose of satisfying personal obligations of the said J. T. Robison, pay to one Dr. Charles S. Venable the sum of \$300, which act

was a high crime and misdemeanor against the State of Texas.

9. That on the 31st day of August, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office, and in his official capacity in possession of certain money or moneys belonging to the State of Texas, did on said day, month and year, or about the same, pay to one J. M. Robison, whose residence is and was in Houston, Harris county, Texas, the sum of \$1000; that such payment was made without proper warrant and voucher and in violation of the penal laws of the State, which act was intentionally, knowingly and willingly committed and was and is a high crime and misdemeanor against the State of Texas.

10. That on the 15th day of September, A. D. 1925, at a time when the said J. T. Robison was Commissioner of the General Land Office of the State of Texas, and in his official capacity in possession of money belonging to the State, did pay for private personal purposes to the National Bank of Commerce of San Antonio, Bexar county, Texas, the sum of \$500; that said payment was intentionally, willfully and knowingly made by the said J. T. Robison out of State funds for private personal purposes, all of which said act or acts were in violation of the law and constitute a high crime and misdemeanor against this State.

11. That on the 29th day of September, A. D. 1925, the said J. T. Robison, Commissioner of the General Land Office of Texas, did pay out of State funds \$1.15 to the Alvarado Bulletin, a newspaper published in Johnson county, Texas, and to Watford & Binion of the Lufkin Daily News of Lufkin, Texas, the sum of \$5, and to the Comanche Chief, a newspaper published in Comanche, Texas, the sum of 75 cents, all of which sums were paid out of State funds for political and personal advertising and purposes in violation of the law and unlawfully, knowingly and intentionally so made, which said act or acts constitute a high crime and misdemeanor against the dignity of the State of Texas.

12. That on the 14th day of October, A. D. 1925, the said J. T. Robison did then and there intentionally and in an unlawful manner convert to his own use and benefit the sum of \$1000, the property of and belonging to the State of Texas.

13. That on or about the 10th day of April, A. D. 1926, the said J. T. Robison did then and there convert to his own private use and benefit money belonging to the State of Texas in the sum of \$500; that said sum so converted was used for the private use of J. T. Robison, Land Commissioner, he knowing the same to be the property of the State of Texas, all of which said act was in violation of the law and constitutes a high crime and misdemeanor against the dignity of this State.

14. That on or about the 21st day of July, A. D. 1926, the said J. T. Robison did then and there convert and appropriate to his own use and benefit certain money belonging to the State of Texas in the principal sum of \$500, with the intention of depriving the State of Texas of the use and benefit of the same.

15. That on and before the 7th day of January, A. D. 1927, and while he was Commissioner of the General Land Office of Texas, the said J. T. Robison did collect and have in his possession money belonging to the State of Texas in the sum of \$23,454.18, said sum nor any part thereof was never deposited in the Treasury of the State of Texas, nor in any manner whatsoever accounted for to the Treasury or to the Comptroller of the State of Texas; that said sum or sums was at all times in the possession of J. T. Robison in violation of the law, which act was and is a high crime and misdemeanor against the State of Texas.

16. That the said J. T. Robison on and after the passage of the Reappraisal Act of 1925 did collect under and by virtue of said act the sum of \$12,245.66 and unlawfully convert the same to his own use and benefit without having deposited the same in the Treasury of the State of Texas, and without in any manner whatsoever accounting to the State of Texas for the same.

17. That the said J. T. Robison, as Commissioner of the General Land Office of the State of Texas, did by virtue of the said Reappraisal Act of the Thirty-ninth Legislature of the State of Texas, collect certain moneys from citizens of this State for the purpose of defraying the expense or expenses of the reappraisal of certain lands in this State; that said moneys so collected or a part thereof was deposited in the Texas Bank and Trust Company of Austin, Texas, and by said J. T. Robison checked out in the sum of \$20,325.51

without keeping any sort of record or memorandum to show for what purpose said sum so drawn out of said bank was paid out, and that the checks and drafts covering the said sum have been negligently or willfully destroyed by the said J. T. Robison, which said act or acts of negligent loss or willful misappropriation of the property of the State constitutes a high crime and misdemeanor against the peace and dignity of the State of Texas.

18. That during and since the year A. D. 1913 the said J. T. Robison has been Commissioner of the General Land Office of the State of Texas; that he, the said Robison, did direct and participate in the reappraisal of certain lands theretofore sold by the State of Texas to private purchasers; that under and by virtue of said reappraisal of 1,454,289.5 acres of land was reappraised; that the forfeiture price of said lands was \$6,932,083.51, and that the reappraisal price was \$5,029,897.58; that by virtue of said reappraisal under the direction of the said J. T. Robison, the public free school fund of this State was depreciated to the amount of \$1,902,185.93; that under the Reappraisal Act of the Thirty-ninth Legislature of 1925, under the exclusive control and direction of the said J. T. Robison, 6,886,860.29 acres were reappraised, the original value of the same as listed on the Land Office books amount to \$15,206,348.79. These values were reduced by virtue of the reappraisal by the amount of \$5,133,517.38, all of which was forever lost to the public free school fund of this State. All of which actions and conduct of the said J. T. Robison evidences a wanton disregard for the welfare of the beneficiaries of the public free school fund of Texas, was unreasonable, unconscionable and not in the public interest and were committed by said J. T. Robison through gross negligence and incompetence and constitute a high crime and misdemeanor against the State of Texas.

19. That under and by virtue of Senate concurrent resolution No. 4, passed at the Regular Session of the Forty-first Legislature, a committee of five members of the House and Senate were appointed to investigate the affairs of certain State departments, including those of the General Land Office; that said committee did investigate said departments and file a report of said investigations, together with its conclusions thereon, and said report is printed

in the House Journal of the Forty-first Legislature, First Called Session, on pages 452 et seq., to which reference is here made for a full statement of the charges herein complained of against J. T. Robison, Commissioner of the General Land Office of Texas; and I do here now state that the findings and conclusions of said committee were true and correct in every detail and that the said findings and conclusions evidence gross negligence, official misconduct, incompetence and unfaithfulness of the said J. T. Robison in his official capacity, and I do here now charge that such actions and conduct of the said J. T. Robison, as found by said committee and reported as aforesaid, constitute high crimes and misdemeanors against the peace and dignity of the State of Texas.

20. That the said J. T. Robison, Commissioner of the General Land Office of this State, is officially incompetent, grossly negligent and careless and wholly unfit and unqualified to render further service to this State as such official, and I do here now state upon oath that I stand ready and willing to tender and exhibit to the House of Representatives evidence to substantiate fully the charges here made.

H. G. WOODRUFF.

State of Texas,
County of Travis.

On this day personally appeared before me, the undersigned authority, H. G. Woodruff, and being by me duly sworn deposes and says that he is the H. G. Woodruff mentioned in the foregoing instrument, and is a member of the House of Representatives of the Forty-first Legislature of Texas; that he has read the foregoing charges, and that wherever the statements are made therein, as of his own knowledge, they are true, and that all of those made are believed to be true.

H. G. WOODRUFF.

Sworn to and subscribed before me this the 6th day of June, A. D. 1929.

BESS ODELL BEEMAN,

Notary Public in and for Travis
County, Texas.

RELATING TO CHARGES AGAINST THE LAND COMMISSIONER.

Mr. Van Zandt offered the following resolution:

Whereas, The report of a committee authorized by Senate concurrent resolution No. 4, passed at the Regular Session of the Forty-first Legislature and reported at the First Called Session of

the Forty-first Legislature of the State of Texas, heretofore filed with the House of Representatives of said Legislature and contained in the Journal of said House, from pages 452 to 456, inclusive thereof, discloses, with other things, the following facts, to-wit:

1. "For the purpose of paying the expenses of administering the 1925 Reappraisal Act, the law provided an assessment of 1 cent per acre for each acre of land offered for reappraisal. Under this provision the Commissioner collected a total of \$72,865.45, as reported by the auditors employed by the committee. Over one-half of this amount was collected before the convening of the Special Session of the Thirty-ninth Legislature in September, 1926. The 1925 act provided that such portion of this fund as would not be used in the payment of expenses should be paid into the State Treasury. The 1 cent per acre fund, under the terms of this act, strictly constituted it a public fund.

"During the Special Session of the Thirty-ninth Legislature an amendment to the last reappraisal act was passed which changed the 1 cent per acre fund so as to provide that the unused portion should be returned pro rata to the owners of the reappraised lands."

And that J. T. Robison, Commissioner of the General Land Office of the State of Texas, did on sundry and divers dates, from and after April 31, 1925, deposit in certain bank or banks in the city of Austin said reappraisal fee to the credit of "J. T. Robison Special" account.

2. That no part of said fund was placed in the State Treasury, as required by law.

3. "That no effort was made by the Land Office to keep a proper or intelligent set of books evidencing the receipt of the money belonging to said fund and the showing of the items of expenditure."

4. "That for the amount of \$20,325.51 shown to have been checked out of the bank the Commissioner was not able to produce any cancelled checks."

5. "That the sum of \$12,471.78 was received by the Commissioner and never deposited in any bank. As a result, the Commissioner was unable to account for the sum of \$32,797.29 of the money received by him in any manner whatsoever."

6. The said "record discloses that

the Commissioner used from the aforesaid funds different sums of money for private purposes and made payments out of said fund to various members of his family."

7. That said committee further reported on the administration of said fund by said Commissioner that "the whole account was handled in a reckless and indifferent manner and without semblance of ordinary precaution calculated to enable the Commissioner to render an account of said funds."

8. That the said Commissioner "received numerous gifts in the nature of lands and money and that they were donated in most instances by the owners of large tracts of land in Texas. The evidence disclosed that the Commissioner received as a gift in one instance a tract of land which he sold after holding the same for several months for a consideration of \$2000; that he received gifts and various sums of money amounting to as much as \$2200 at one time and \$500 upon two other occasions, besides numerous other smaller cash gifts."

9. Said committee further reported that, "in addition to the aforesaid gifts, the Commissioner received the sum of \$6,783.70 in refund checks endorsed by the payees and returned to the Commissioner." Said checks having been forwarded to said payees by said Commissioner in performance of his duties as Land Commissioner in the administration of aforesaid reappraisal act.

10. Said committee further recommended that "the manner of handling said 'one cent per acre fund' was inexcusable, unwarranted and unjustified; that the same did involve an unsound public policy and should not be countenanced by any public official in the discharge of the duties of his office."

11. And that the said committee further concluded "that the acceptance of gifts and gratuities as practiced by the Land Commissioner, if carried on by officials of a democratic form of government to any extent, is calculated to destroy the confidence of the citizenship in the government and finally to wreck and destroy the same."

12. And whereas, each and every report, item or thing, hereinabove set out and shown in said report, constitutes a charge of official misconduct on the part of said J. T. Robison, in the performance of the duties imposed upon the Commissioner of the General Land Office, as prescribed by the Con-

stitution and statutory laws of the State of Texas.

13. And whereas, the Commissioner is now continuing some of the aforesaid practices in face of the committee report; now therefore, be it

Resolved, That this House resolve itself into a Committee of the Whole and shall forthwith proceed to an investigation of the charges enumerated above and other charges this day filed, "and other matters which in the judgment of this House may become important or require investigation, it being the intention of this House to conduct a full, fair and impartial investigation; that, sitting in Committee of the Whole, the Speaker shall appoint from among the members of the House a lawyer of recognized ability who shall pass on the admissibility of testimony; that the Speaker shall appoint a committee of three who shall select attorneys to represent the House of Representatives in the development of said charges, and shall be authorized to contract with them for reasonable fees subject to the approval of the House; that the Speaker shall appoint stenographers to take down the proceedings of the hearing, and the same shall be paid for at the regular rates charged by court reporters; that all witnesses before the committee shall be paid the same fees as provided for witnesses summoned in the district courts of this State; that the House sitting as a Committee of the Whole shall have the right to summon witnesses, who shall be sworn by the Speaker, the presiding member, or the Chief Clerk of the House, and that said Committee of the Whole shall have full authority to issue all necessary process, summon witnesses and to compel their attendance, and for production before it of any papers, books or documents; that all expenses shall be paid by warrant properly issued by the chairman of the Contingent Expense Committee, to be approved by the Speaker of the House. In addition to the powers herein enumerated, the House, sitting as a Committee of the Whole, shall have all powers given to the legislative investigation committees in Articles 5961 and 5962 of the Revised Civil Statutes of 1925; be it further

Resolved, That the hearing shall be conducted and evidence submitted upon not only such matters as may be charged specifically, but on other matters involving the official integrity of the Commissioner of the General Land Office, J. T. Robison; be it further

Resolved, That at the conclusion of the testimony the Committee shall recommend to the House such action as may be necessary in its judgment in reference to the charges; be it further

Resolved, That the Commissioner of the General Land Office be allowed counsel of his own selection.

Mr. DeWolfe offered the following substitute for the resolution:

Whereas, The report of the committee investigating the Commissioner of the General Land Office, the Board of Regents, the Attorney General's Department and the Governor's Office, in so far as the action of the last-named agencies and persons relate to transactions of the Land Commissioner, was completed and submitted to the First Called Session of the Legislature; and

Whereas, The findings and reports of said committee were adverse in so far as certain actions of the Land Commissioner are concerned; and

Whereas, The said Land Commissioner, the Hon. J. T. Robison, has spent his life from young manhood to old age in the service of the State of Texas, first as chief clerk and later for many years serving as Commissioner of the General Land Office; and

Whereas, Never, until the charges which resulted in the appointment of the investigating committee were made public, has he been accused of any conduct that in the slightest degree reflected upon his ability or impeached his character; and

Whereas, For the last several years he has suffered wretched health, has endured the severest of physical pain and the heaviest of mental strain, natural and inevitable, which is calculated to impair his former capacity for discernment and administrative ability; and

Whereas, These facts, plus his limited financial means and the consequent worry incident to the welfare of his family in the event of his passing away, undoubtedly contributed to a certain laxity in his usually careful methods of accountancy and dimmed his perspective of his acts in so far as they relate to matters of sound public policy, and have been responsible for the doing of the things which have subjected him to the criticisms contained in said committee report; and

Whereas, His long and faithful service prior to this unfortunate incident, rendered through all kinds of temptations and opportunities to enrich him-

self by graft, has left him a poor man, guarantees his integrity and commands the highest respect of his fellowmen; and

Whereas, The limited financial resources of this life-long servant of the people of the State of Texas, and his economic habits, stand as proof of his fidelity to the trust reposed in him for these many years; now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the acts complained of in the report of the committee which investigated the conduct of the Land Commissioner be, and the same are hereby, condemned, and that the said J. T. Robison was guilty of indiscretion and of acts inconsistent with the proper conduct of a public office; and be it further

Resolved, That the said J. T. Robison be hereby reprimanded, and that no further action be taken in the matter.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 6, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State, etc., and declaring an emergency," with engrossed rider.

H. C. R. No. 5, Requesting a more diligent inspection of baggage and agricultural products imported from Mexico.

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the salaries of judges and the support and maintenance of the Judicial Department of the State government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

S. B. No. 9, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas to acquire, by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets, in the city of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriations for

the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS.

Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 2, to the Committee on Appropriations.

Senate bill No. 9, to the Committee on Appropriations.

Senate bill No. 5, to the Committee on Appropriations.

RECESS.

On motion of Mr. Gilbert the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

RELATING TO CHARGES AGAINST LAND COMMISSIONER.

The House resumed consideration of pending business, same being resolution by Mr. Van Zandt relating to certain charges against Land Commissioner, and substitute for the resolution by Mr. DeWolfe, pending.

Mr. Purl offered the following amendment to the substitute resolution:

Amend DeWolfe resolution by adding the following:

"With all the facts now before us, the House of Representatives of the Forty-first Legislature, Second Called Session, hereby directs the Speaker of the House to notify the Land Commissioner, J. T. Robison, that it is the wish and desire of this body that he tender his resignation to the Governor of Texas in the interest of public service."

Mr. Beck raised the point of order that it is not in order to amend a substitute resolution.

The Speaker sustained the point of order.

Mr. Woodruff moved to table the substitute resolution.

(Pending consideration of the resolution, Mr. Kemble occupied the chair temporarily.)

(Speaker in the chair.)

Question recurring on the motion to table the substitute resolution, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—76.

Acker.	Marks.
Ackerman.	Maynard.
Adkins.	McCombs.
Albritton.	McDonald.
Anderson.	McGill.
Avis.	Montgomery.
Bond.	Moore.
Bounds.	Mosely.
Brice.	Negley.
Carpenter.	Nicholson.
Coltrin.	O'Neill.
Conway.	Patterson.
Cox of Lamar.	Petsch.
Cox of Limestone.	Prendergast.
Davis.	Purl.
Ewing.	Quinn.
Eickenroht.	Ray.
Forbes.	Reader.
Gerron.	Richardson.
Hardy.	Savage.
Harper.	Sherrill.
Harrison.	Shipman.
Heaton.	Sinks.
Hogg.	Snelgrove.
Holder.	Speck.
Hopkins.	Stephens.
Johnson of Smith.	Strong.
Johnson of Scurry.	Thompson.
Kayton.	Van Zandt.
Keeton.	Veatch.
Keller.	Waddell.
Kemble.	Walters.
Kennedy.	White.
Kincaid.	Wiggs.
Land.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Woodall.
Mankin.	Woodruff.

Nays—43.

Barnett.	Hines.
Beck.	Hornaday.
Brooks.	Hubbard.
Chastain.	Jenkins.
DeWolfe.	Johnson
Finlay.	of Dimmit.
Gilbert.	Jones.
Graves of Erath.	Justiss.
Graves	King.
of Williamson.	Kinnear.
Harding.	Lee.
Harman.	Metcalfe.

Minor.
Mullally.
Murphy.
Pavlica.
Pool.
Pope of Jones.
Reid.
Renfro.
Rogers.
Rountree.
Sanders.

Shaver.
Shelton.
Simmons.
Stevenson.
Tarwater.
Tillotson.
Turner.
Warwick.
Webb.
Young.

Absent.

Baker.
Baldwin.
Bateman.
Bradley.
Cox of Navarro.
Dunlap.
Finn.
Fuchs.
Gates.
Giles.

Hefley.
Martin.
McKean.
Mehl.
Morse.
Palmer.
Pope of Nueces.
Storey.
Thurmond.
Wallace.

Absent—Excused.

Duvall.
Enderby.
Kenyon.
Mauritz.
Olsen.

Smith.
Westbrook.
Williams
of Hardin.

Mr. Woodruff moved to reconsider the vote by which the substitute was tabled, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76.

Acker.
Ackerman.
Adkins.
Albritton.
Anderson.
Avis.
Bond.
Bounds.
Brice.
Carpenter.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
Ewing.
Eickenroht.
Forbes.
Gerron.
Hardy.
Harper.
Harrison.
Heaton.
Hogg.
Holder.

Hopkins.
Johnson of Smith.
Johnson of Scurry.
Keeton.
Keller.
Kemble.
Kennedy.
Kincaid.
Land.
Lemens.
Long of Houston.
Long of Wichita.
Loy.
Mankin.
Maynard.
McCombs.
McDonald.
McGill.
Montgomery.
Moore.
Mosely.
O'Neill.
Patterson.
Petsch.
Prendergast.

Purl.
Quinn.
Ray.
Reader.
Richardson.
Rogers.
Rountree.
Savage.
Shaver.
Sherrill.
Shipman.
Sinks.
Snelgrove.
Speck.
Stephens.

Strong.
Thompson.
Van Zandt.
Veatch.
Waddell.
Walters.
White.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—32.

Barnett.
Beck.
Brooks.
Chastain.
DeWolfe.
Finlay.
Gilbert.
Graves
of Williamson.
Harding.
Harman.
Hines.
Hornaday.
Hubbard.
Johnson
of Dimmit.
Justiss.
King.

Kinnear.
Lee.
Metcalf.
Minor.
Mullally.
Murphy.
Pavlica.
Pool.
Pope of Jones.
Reid.
Sanders.
Shelton.
Simmons.
Stevenson.
Tillotson.
Turner.
Warwick.
Webb.

Present—Not Voting.

Martin.

Tarwater.

Absent.

Baker.
Baldwin.
Bateman.
Bradley.
Cox of Navarro.
Dunlap.
Finn.
Fuchs.
Gates.
Giles.
Graves of Erath.
Hefley.
Jones.

Marks.
McKean.
Mehl.
Morse.
Negley.
Nicholson.
Palmer.
Pope of Nueces.
Renfro.
Storey.
Thurmond.
Wallace.

Absent—Excused.

Duvall.
Enderby.
Jenkins.
Kayton.
Kenyon.
Mauritz.

Olsen.
Smith.
Westbrook.
Williams
of Hardin.

Mr. Metcalfe moved that the resolution by Mr. Van Zandt be laid on the table subject to call.

Yeas and nays were demanded, and the motion to lay the resolution on the table subject to call was lost by the following vote:

Yeas—52.

Barnett.	Kinnear.
Beck.	Land.
Brooks.	Lee.
Chastain.	Lemens.
DeWolfe.	McKean.
Eickenroht.	Metcalf.
Finn.	Minor.
Finlay.	Moore.
Gilbert.	Mullally.
Graves	Pavlica.
of Williamson.	Pool.
Graves of Erath.	Pope of Jones.
Harding.	Reid.
Harman.	Renfro.
Harrison.	Rogers.
Hines.	Rountree.
Hornaday.	Sanders.
Hubbard.	Shelton.
Jenkins.	Shipman.
Johnson	Simmons.
of Dimmit.	Stevenson.
Johnson of Scurry.	Tarwater.
Jones.	Tillotson.
Justiss.	Turner.
Kemble.	Warwick.
Kincaid.	Webb.
King.	Young.

Nays—70.

Acker.	Long of Houston.
Ackerman.	Long of Wichita.
Adkins.	Loy.
Albritton.	Mankin.
Anderson.	Marks.
Avis.	Martin.
Baker.	McCombs.
Bond.	McDonald.
Bounds.	McGill.
Bradley.	Montgomery.
Brice.	Mosely.
Carpenter.	Murphy.
Coltrin.	Negley.
Conway.	O'Neill.
Cox of Lamar.	Patterson.
Cox of Limestone.	Petsch.
Davis.	Prendergast.
Forbes.	Purl.
Gerron.	Quinn.
Hardy.	Ray.
Harper.	Reader.
Heaton.	Richardson.
Hogg.	Savage.
Holder.	Shaver.
Hopkins.	Sherrill.
Johnson of Smith.	Sinks.
Kayton.	Snelgrove.
Keeton.	Speck.
Keller.	Stephens.
Kennedy.	Strong.

Thompson.
Van Zandt.
Veatch.
Waddell.
Wallace.
Walters.
White.

Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.

Absent.

Baldwin.	Maynard.
Bateman.	Mehl.
Cox of Navarro.	Morse.
Dunlap.	Nicholson.
Ewing.	Palmer.
Fuchs.	Pope of Nueces.
Gates.	Storey.
Giles.	Thurmond.
Hefley.	

Absent—Excused.

Duvall.	Smith.
Enderby.	Westbrook.
Kenyon.	Williams
Mauritz.	of Hardin.
Olsen.	

Question then recurring on the resolution by Mr. Van Zandt, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—85.

Acker.	Johnson of Smith.
Ackerman.	Johnson of Scurry.
Adkins.	Kayton.
Albritton.	Keeton.
Anderson.	Keller.
Avis.	Kennedy.
Baker.	Kincaid.
Barnett.	Land.
Beck.	Lemens.
Bond.	Long of Houston.
Bounds.	Long of Wichita.
Bradley.	Loy.
Brice.	Mankin.
Carpenter.	Marks.
Coltrin.	Martin.
Conway.	Maynard.
Cox of Lamar.	McCombs.
Davis.	McDonald.
DeWolfe.	McGill.
Ewing.	Minor.
Eickenroht.	Montgomery.
Forbes.	Mosely.
Gerron.	Murphy.
Hardy.	Negley.
Harding.	Nicholson.
Harper.	O'Neill.
Harrison.	Palmer.
Heaton.	Patterson.
Hines.	Petsch.
Hogg.	Prendergast.
Holder.	Purl.
Hopkins.	Quinn.

Ray.
Reader.
Richardson.
Rogers.
Savage.
Sherrill.
Shipman.
Sinks.
Snelgrove.
Speck.
Stephens.
Thompson.

Van Zandt.
Veatch.
Waddell.
Wallace.
White.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.

Nays—33.

Brooks.
Chastain.
Finn.
Finlay.
Gilbert.
Graves
of Williamson.
Graves of Erath.
Harman.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dimmit.
Jones.
Justiss.
Kemble.
King.
Kinnear.

Lee.
McKean.
Metcalf.
Mullally.
Pavlica.
Pool.
Pope of Jones.
Reid.
Rountree.
Shaver.
Shelton.
Simmons.
Stevenson.
Tillotson.
Turner.
Warwick.
Webb.
Young.

Present—Not Voting.

Giles. Tarwater.

Absent.

Baldwin.
Bateman.
Cox of Navarro.
Cox of Limestone.
Dunlap.
Fuchs.
Gates.
Hefley.
Mehl.

Moore.
Morse.
Pope of Nueces.
Renfro.
Sanders.
Storey.
Strong.
Thurmond.
Walters.

Absent—Excused.

Duvall.
Enderby.
Kenyon.
Mauritz.
Olsen.

Smith.
Westbrook.
Williams
of Hardin.

Mr. Woodruff moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76.

Acker.
Ackerman.
Adkins.
Albritton.
Anderson.
Avis.
Baker.
Bond.
Bounds.
Bradley.
Brice.
Carpenter.
Coltrin.
Conway.
Cox of Lamar.
Davis.
Ewing.
Eickenroht.
Finn.
Forbes.
Gerron.
Hardy.
Harding.
Harper.
Harrison.
Hines.
Hogg.
Holder.
Hopkins.
Johnson of Smith.
Johnson of Scurry.
Keeton.
Keller.
Kennedy.
Kincaid.
Lemens.
Long of Houston.
Long of Wichita.
Loy.

Mankin.
Martin.
McCombs.
McDonald.
McGill.
Minor.
Montgomery.
Mosely.
Nicholson.
O'Neill.
Palmer.
Patterson.
Petsch.
Prendergast.
Purl.
Quinn.
Ray.
Rogers.
Savage.
Sherrill.
Shipman.
Sinks.
Snelgrove.
Speck.
Stephens.
Tarwater.
Thompson.
Van Zandt.
Veatch.
Waddell.
White.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.

Nays—28.

Barnett.
Brooks.
Chastain.
DeWolfe.
Finlay.
Gilbert.
Graves
of Williamson.
Harman.
Hornaday.
Hubbard.
Johnson
of Dimmit.
Jones.
Justiss.
Kemble.

King.
Kinnear.
Metcalf.
Mullally.
Negley.
Pavlica.
Pope of Jones.
Renfro.
Rountree.
Shelton.
Simmons.
Stevenson.
Turner.
Warwick.
Webb.
Young.

Present—Not Voting.

Giles. Marks.

Absent.

Baldwin.
Bateman.

Beck.
Cox of Navarro.

Cox of Limestone.	Murphy.
Dunlap.	Olsen.
Fuchs.	Pool.
Gates.	Pope of Nueces.
Graves of Erath.	Reader.
Heaton.	Richardson.
Hefley.	Sanders.
Land.	Shaver.
Lee.	Storey.
Maynard.	Strong.
McKean.	Thurmond.
Mehl.	Tillotson.
Moore.	Wallace.
Morse.	Walters.

Absent—Excused.

Duvall.	Reid.
Enderby.	Smith.
Jenkins.	Westbrook.
Kayton.	Williams
Kenyon.	of Hardin.
Mauritz.	

Reasons for Vote.

I, with many regrets, vote "yea" on the question of impeachment of J. T. Robison, Land Commissioner, because I have always been his friend and still claim that relationship, and I think that it is due him to have a fair, impartial trial, to the end that he may have an opportunity to clear himself of the serious charges filed against him. I further think that Mr. Robison should court a full and free investigation and, therefore, I vote "yea."

HINES.

I vote "nay" for the reason that charges are filed against the Land Commissioner and the House is asked to vote articles of impeachment against a public official who for more than thirty years has been a faithful and trusted employe of this great State, and thereby place a stigma on his name forever, without giving him an opportunity of appearing before the impeaching agency in his own behalf.

GILBERT.

COMMITTEE OF THE WHOLE HOUSE.

The House then, in accordance with provisions of the resolution by Mr. Van Zandt, resolved itself into a Committee of the Whole House.

(In Committee of the Whole House.
Mr. Woodall in the chair.)

IN THE HOUSE.

(Speaker in the chair.)

Mr. Barron, Chairman of the Commit-

tee of the Whole House, submitted the following report:

June 6, 1929.

Hon. W. S. Barron, Speaker, House of Representatives, Austin, Texas.

Sir: The Committee of the Whole House reports to the House that the House, as Committee of the Whole, was duly organized and that thereafter, while so sitting, the motion was made by Mr. Van Zandt of Grayson that Hon. W. S. Barron be made Chairman of the Committee of the Whole House, which motion prevailed. The formal motion made by Mr. Tillotson was also made that the Committee of the Whole rise, report progress and ask leave to reconvene Monday morning at 10 o'clock.

W. S. BARRON,

Chairman of the Committee of the Whole House.

The House adopted the report and granted the request of the Committee of the Whole House.

HOUSE BILL NO. 4 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1929, and ending August 31, 1931, as follows, to-wit: Abilene State Hospital, Austin State School, Austin State Hospital, Confederate Home, Confederate Woman's Home, Deaf, Dumb and Blind Institute for Colored Youths, Girls' Training School, Home for Dependent and Neglected Children, State Hospital for Crippled and Deformed Children at Galveston, State Juvenile Training School, State Orphans' Home, Rusk State Hospital, State Psychopathic Hospital, San Antonio State Hospital, Terrell State Hospital, State Tuberculosis Sanatorium, Wichita Falls State Hospital, and declaring an emergency."

The bill was read second time.

By unanimous consent, the House agreed to consider the bill section by section.

Mr. Reader offered the following amendment to the section of the bill relating to Abilene State Hospital:

Amend House bill No. 4, page 2, line 18, by striking out the word "druggist" and insert in lieu thereof the word

"pharmacist"; strike out the figures "1000" wherever they occur and insert in lieu thereof the figures "1200."

Signed—Speck, Reader.

The amendment was adopted.

Mr. Van Zandt offered the following amendment to this section of the bill:

Amend House bill No. 4, page 4, by inserting between the lines 9 and 10 the following: "replacing wooden floors with fireproof floors in ward building, \$22,400."

On motion of Mr. Holder, the amendment was tabled.

Mr. Reader offered the following amendment to the section of the bill relating to Austin State School:

Amend House bill No. 4, page 3, line 13, by striking out the word "druggist" and insert in lieu thereof the word "pharmacist"; strike out the figures "1000" wherever they occur and insert in lieu thereof the figures "1200."

The amendment was adopted.

Mr. Reader offered the following amendment to this section of the bill:

Amend House bill No. 4, page 7, line 36, by striking out the words "druggist registered" and insert in lieu thereof the word "pharmacist."

The amendment was adopted.

Mr. Reader offered the following amendment to the section of the bill relating to the Texas Confederate Home:

Amend House bill No. 4, page 9, line 38, by striking out the word "registered."

The amendment was adopted.

Mrs. Moore offered the following amendment to the section of the bill relating to the Girls' Training School:

Amend House bill No. 4, page 16, line 34, by adding: "repairs to roads on grounds, or such part thereof as may be necessary, \$5000."

Mr. Wallace moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—57.

Mr. Speaker.	Finn.
Albritton.	Finlay.
Avis.	Gilbert.
Baker.	Graves
Bounds.	of Williamson.
Brooks.	Graves of Erath.
Cox of Limestone.	Hardy.
Davis.	Harper.
Dunlap.	Harrison.

Heaton.	Murphy.
Hines.	Palmer.
Holder.	Patterson.
Hubbard.	Pavlica.
Jenkins.	Pool.
Johnson of Scurry.	Reid.
Justiss.	Savage.
Kayton.	Sherrill.
Kemble.	Snelgrove.
Kennedy.	Stephens.
Kincaid.	Stevenson.
Land.	Thompson.
Lee.	Veatch.
Long of Houston.	Wallace.
Long of Wichita.	Webb.
Marks.	Williams
McGill.	of Sabine.
McKean.	Williams
Mosely.	of Travis.
Mullally.	Woodall.

Nays—46.

Adkins.	O'Neill.
Anderson.	Petsch.
Barnett.	Pope of Jones.
Beck.	Purl.
Bond.	Quinn.
Bradley.	Ray.
Brice.	Reader.
Carpenter.	Renfro.
Chastain.	Richardson.
Coltrin.	Rogers.
Cox of Lamar.	Rountree.
Ewing.	Sanders.
Gerron.	Shaver.
Giles.	Shelton.
Harman.	Simmons.
Hopkins.	Speck.
Jones.	Strong.
Kinnear.	Storey.
Martin.	Tarwater.
Maynard.	Turner.
McCombs.	Van Zandt.
Minor.	Walters.
Montgomery.	Warwick.
Moore.	White.
Nicholson.	Young.

Present—Not Voting.

Johnson of Smith.

Absent.

Acker.	Hefley.
Ackerman.	Hogg.
Baldwin.	Hornaday.
Bateman.	Johnson
Conway.	of Dimmit.
Cox of Navarro.	Keeton.
DeWolfe.	Keller.
Eickenroht.	King.
Forbes.	Lemens.
Fuchs.	Loy.
Gates.	Mankin.
Harding.	McDonald.

Mehl.
Metcalf.
Morse.
Negley.
Pope of Nueces.
Prendergast.
Shipman.

Sinks.
Thurmond.
Tillotson.
Waddell.
Wiggs.
Woodruff.

Absent—Excused.

Duvall.
Enderby.
Kenyon.
Mauritz.
Olsen.

Smith.
Westbrook.
Williams
of Hardin.

Mr. Quinn offered the following amendment to this section of the bill:

Amend House bill No. 4 by striking out the word "dentist," on pages 2, 12, 19, 21 and 32, and insert in lieu thereof the words "dental work."

Mr. Holder moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Johnson
Adkins.	of Dimmit.
Albritton.	Johnson of Smith.
Anderson.	Johnson of Scurry.
Avis.	Jones.
Baker.	Justiss.
Barnett.	Kayton.
Beck.	Kemble.
Bond.	Kennedy.
Bradley.	Kincaid.
Brice.	Kinnear.
Brooks.	Land.
Carpenter.	Lee.
Chastain.	Long of Houston.
Cox of Limestone.	Long of Wichita.
Davis.	Loy.
DeWolfe.	Marks.
Dunlap.	Martin.
Finn.	Maynard.
Finlay.	McCombs.
Forbes.	McGill.
Gerron.	McKean.
Gilbert.	Mehl.
Giles.	Minor.
Graves	Moore.
of Williamson.	Mosely.
Graves of Erath.	Mullally.
Hardy.	Murphy.
Harman.	Nicholson.
Harper.	O'Neill.
Heaton.	Palmer.
Hines.	Pavlica.
Hogg.	Pool.
Holder.	Pope of Jones.
Hopkins.	Prendergast.
Hubbard.	Purl.
Jenkins.	Ray.

Reader.
Reid.
Renfro.
Richardson.
Rogers.
Rountree.
Savage.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Storey.
Strong.
Tarwater.

Thompson.
Tillotson.
Van Zandt.
Veatch.
Wallace.
Walters.
Warwick.
Webb.
White.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Young.

Nays—5.

Bounds.
Coltrin.
Ewing.

Harrison.
Quinn.

Absent.

Acker.
Ackerman.
Baldwin.
Bateman.
Conway.
Cox of Navarro.
Cox of Lamar.
Eickenroht.
Fuchs.
Gates.
Harding.
Hefley.
Hornaday.
Keeton.
Keller.
King.
Lemens.

Mankin.
McDonald.
Metcalf.
Montgomery.
Morse.
Negley.
Patterson.
Petsch.
Pope of Nueces.
Sanders.
Shaver.
Shipman.
Stevenson.
Thurmond.
Turner.
Waddell.
Woodruff.

Absent—Excused.

Duvall.
Enderby.
Kenyon.
Mauritz.
Olsen.

Smith.
Westbrook.
Williams
of Hardin.

Mr. Wallace offered the following amendment to the section of the bill relating to the Home for Dependent and Neglected Children:

Amend House bill No. 4, page 18, line 5, by striking out "\$20,000" and inserting in lieu thereof "\$19,000," and by adding a new line after line 5 as follows: "for refrigerator or cold storage, \$1000 the first year."

The amendment was adopted.

Mr. O'Neill offered the following amendment to the section of the bill relating to the Girls' Training School:

Amend House bill No. 4, page 16, line 24, to read "\$8500, providing for re-

pairs on the roads belonging to the institution."

On motion of Mr. Savage, the amendment was tabled.

Mr. Kayton offered the following amendment to the section of the bill relating to the Home for Dependent and Neglected Children:

Amend House bill No. 4, page 17, by striking out line 26.

Mr. Harman moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—79.

Mr. Speaker.	Maynard.
Ackerman.	McDonald.
Adkins.	McGill.
Baker.	McKean.
Barnett.	Metcalfe.
Beck.	Minor.
Bradley.	Moore.
Brice.	Mosely.
Brooks.	Murphy.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
DeWolfe.	Purl.
Dunlap.	Quinn.
Ewing.	Ray.
Finn.	Reader.
Forbes.	Renfro.
Gilbert.	Rogers.
Giles.	Sanders.
Graves	Shaver.
of Williamson.	Simmons.
Graves of Erath.	Snelgrove.
Hardy.	Speck.
Harman.	Stephens.
Harper.	Storey.
Heaton.	Strong.
Holder.	Tarwater.
Hopkins.	Tillotson.
Hubbard.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Johnson of Scurry.	Warwick.
Justiss.	Webb.
Kemble.	White.
Kennedy.	Williams
Kinnear.	of Sabine.
Land.	Williams
Lee.	of Travis.
Loy.	

Nays—26.

Albritton.	Chastain.
Avis.	Finlay.
Bounds.	Gerron.
Carpenter.	Hines.

Jenkins.	O'Neill.
Kayton.	Prendergast.
Jones.	Reid.
Kincaid.	Richardson.
Long of Wichita.	Shelton.
Marks.	Sherrill.
Martin.	Thompson.
Mehl.	Turner.
Nicholson.	Wiggs.

Absent.

Acker.	Mankin.
Anderson.	McCombs.
Baldwin.	Montgomery.
Bateman.	Morse.
Bond.	Mullally.
Cox of Navarro.	Negley.
Eickenroht.	Palmer.
Fuchs.	Pope of Nueces.
Gates.	Rountree.
Harding.	Savage.
Harrison.	Shipman.
Hefley.	Sinks.
Hogg.	Stevenson.
Hornaday.	Thurmond.
Keeton.	Waddell.
Keller.	Woodall.
King.	Woodruff.
Lemens.	Young.
Long of Houston.	

Absent—Excused.

Duvall.	Smith.
Enderby.	Westbrook.
Kenyon.	Williams
Mauritz.	of Hardin.
Olsen.	

Mr. Finlay offered the following amendment to this section of the bill:

Amend House bill No. 4, page 18, line 20, by striking out the entire line.

The amendment was lost.

Question—Shall the bill be passed to engrossment?

HOUSE CONCURRENT RESOLUTION NO. 3, WITH SENATE AMEND- MENTS.

Mr. Wiggs called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 3, In memory of Hon. Joseph Noyes.

The Speaker laid the resolution before the House and the Senate amendments were read.

On motion of Mr. Hines, the House concurred in the Senate amendments.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 5, Relating to infested fruit.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 6, 1929.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 16, A bill to be entitled "An Act to amend Article 1302, of the Revised Civil Statutes of the State of Texas of 1925, so as to provide that private corporations may be formed for any lawful purpose or purposes, except as specified in this act, etc., and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act fixing the salary of court reporters in counties having a population of less than 100,000 and having a city of more than 44,000, according to the latest United States census, and prescribing the manner of its payment, and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act fixing the salary of the court reporter in each judicial district in this State containing four or more counties having a combined population, according to the latest United States census, of not less than 84,400 and not more than 84,475, and prescribing the manner of the payment of same, and declaring an emergency."

S. B. No. 73, A bill to be entitled "An Act validating the service of citations, whether published or posted, in all proceedings where guardians have been appointed, written wills probated or executors or administrators appointed, and validating sale of lands under the orders of the probate courts by guardians, executors or administrators after citation was published, as provided in Chapter 179, Acts of Regular Session of 1917, and without service of citation or notice by posting as provided in Article 3568, Revised Civil Statutes of 1925, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 16, to the Committee on Municipal and Private Corporations.

Senate bill No. 26, to the Committee on State Affairs.

Senate bill No. 27, to the Committee on State Affairs.

Senate bill No. 73, to the Judiciary Committee.

RECESS.

Mr. Anderson moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Bond moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Anderson prevailed, and the House accordingly, at 6:10 o'clock p. m., took recess until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Criminal Jurisprudence: House bills Nos. 61 and 62.

Revenue and Taxation: House bills Nos. 75 and 6.

Agriculture: House bills Nos. 53 and 46.

Judiciary: House bills Nos. 48, 22 and 36.

Penitentiaries: Senate concurrent resolution No. 3.

Banks and Banking: House bill No. 70.

Live Stock and Stock Raising: House bill No. 31.

The following committees have today filed adverse reports on bills, as follows:

Criminal Jurisprudence: House bill No. 60.

Revenue and Taxation: House bills Nos. 76 and 64.

In Memory
of
Hon. George B. Scott

Mr. Gilbert offered the following resolution:

In memory of Hon. George B. Scott, who departed this life on May 30, 1929.

Whereas, This distinguished citizen and public official was a victim of an accident while fishing that resulted in his death; and

Whereas, Many of the best years of his eventful life were dedicated to the public service and to the development of this State in general and the central-west portion in particular; and

Whereas, Our citizenship has suffered a great loss, which will be more keenly felt in the banking profession than any other; therefore, be it

Resolved, That the House of Representatives of the Forty-first Legislature extend to his bereaved family, relatives and friends their heartfelt sympathy; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. George B. Scott and family of Cross Plains, Texas, and that a page of the House Journal be set apart and dedicated to his memory.

GILBERT,
CONWAY,
COX of Lamar,
EWING,
JUSTISS,
HEATON,
STEPHENS,
FINLAY,
COLTRIN,
BRICE.

The resolution was read second time, and was adopted by a rising vote.